



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of	)	FOR: SYSTEM AND METHOD FOR
	)	REDUCING APPARENT
Inventor: MARTINEZ, Paul A.	)	HEIGHT OF A BOARD SYSTEM
)	
App. No.: 09/943,954	)	Group Art Unit: 2827
)	
Filed: August 31, 2001	)	Examiner: DINH, Tuan T.
)	
	)	Attorney Docket No.: UTL 00075

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 CFR 1.181(a)**

Mail Stop Issue Fee
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Attention: Director

Dear Sir:

This Petition is in response to the Notice of Abandonment dated October 21, 2004. This notice was issued for Applicant's alleged failure to timely pay the required issue fee and publication fee. However, Applicant contends that the application is not in fact abandoned because Applicant responded to the Notice of Allowance by sending the issue fee transmittal together with a credit card payment form on August 18, 2004, which was a month in advance of the deadline for payment. The Certificate of Mailing on the Issue Fee

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service via First Class Mail on **November 3, 2004** in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shelley M. Callagy

Printed Name of Person Mailing Paper and/or Fee

Shelley M. Callagy

Signature

Transmittal, clearly indicated that the date of deposit with the U.S. Postal Service was August 18, 2004.

A copy of the entire package sent to MS Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 is attached as Appendix 1. Applicant asserts that no fee is required under 37 CFR 1.181(a). However, should a fee be required, Applicant's deposit account may be charged as indicated on the Issue Fee Transmittal of Appendix 1.

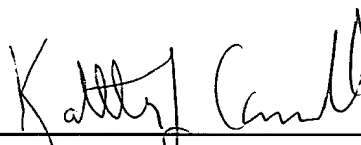
Because the Issue Fees have increased as of October 1, 2004, Applicant now encloses a new Credit Card Payment form. Applicant requests that the required fee of \$1670.00 for the issue fee and publication fee be charged to Applicant's credit card as indicated. The Credit Card Payment form of Appendix 1 is stamped "Copy" to indicate that it should no longer be used as it reflects the incorrect amount due.

Should the Director believe that prosecution of this application might be expedited by further discussion of the issues, he is invited to telephone the attorney for Applicant at the telephone number listed below.

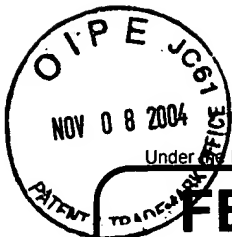
Respectfully submitted,

Dated: November 3, 2004

By: _____


Kathleen L. Connell
Attorney for Applicant
Reg. No. 45,344

KYOCERA WIRELESS CORP.
10300 Campus Point Drive
San Diego, California 92121
Direct Dial: (858) 882-2169
Direct Fax: (858) 882-2485
Attorney Docket No.: UTL 00075



PTO/SB/17 (10-04v2)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1670.00

Complete if Known

Application Number	09/943,954
Filing Date	August 31, 2001
First Named Inventor	MARTINEZ, Paul A.
Examiner Name	DINH, Tuan T.
Art Unit	2827
Attorney Docket No.	UTL 00075

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

50-3001

KYOCERA WIRELESS CORP.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		-20** =		X		=	
Independent Claims		-3** =		X		=	
Multiple Dependent						=	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify): Issue/Publication Fee

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1670.00

SUBMITTED BY

(Complete if applicable)

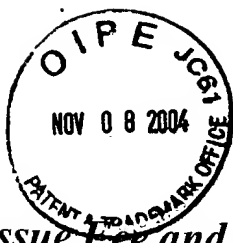
Name (Print/Type)	Kathleen L. Connell	Registration No. (Attorney/Agent)	45,344	Telephone	(858) 882-2169
Signature		Date	November 3, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Issue Fee and Publication Fee
in the
U.S. Patent & Trademark Office

**SYSTEM AND METHOD FOR
REDUCING APPARENT HEIGHT
OF A BOARD SYSTEM**

- Issue Fee Correspondence (1 pg.)
 - Fee Transmittal (1 pg., in dup.)
 - Credit Card Payment Form (1 pg.)
 - Change of Correspondence Address (1 pg.)
 - General Power of Attorney (1 pg.)
 - Statement Under 37 C.F.R. 3.73(b) (1 pg.)
 - Return Receipt Postcard
-

Applicant(s): MARTINEZ, Paul Aurelio
Filing Date: August 31, 2001
App. No.: 09/943,954
Assignee: Kyocera Wireless Corp.
Dkt. No.: UTL 00075
First Class Mailed: August 18, 2004



KYOCERA WIRELESS CORP.
Attn: Intellectual Property Department
P.O. Box 928289
San Diego, CA 92192-8289



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	For: SYSTEM AND METHOD FOR
Applicant(s): Paul Aurelio Martinez	)	REDUCING APPARENT HEIGHT OF
Application No.: 09/943,954	)	A BOARD SYSTEM
Filed: August 31, 2001	)	Group Art Unit: 2827
Attorney Docket No.: UTL 00075	)	Examiner: Tuan T. Dinh

ISSUE FEE CORRESPONDENCE

MS Issue Fee
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Submitted in addition to the payment of the issue and publication fees are a change of correspondence address, a general power of attorney, and a statement under 37 CFR 3.73(b) which are submitted for the purpose of associating this application with Customer Number 32968.

Please contact the undersigned attorney for Applicant should there be any questions regarding this correspondence.

Respectfully submitted,

Dated: August 18, 2004

By: Kathleen L. Connell
Kathleen L. Connell
Attorney for Applicant
Registration No.: 45,344

KYOCERA WIRELESS CORP.
10300 Campus Point Drive
San Diego, California 92121
Telephone: 858-882-2169
Facsimile: 858-882-2485



TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/943,954	
	Filing Date	August 31, 2001	
	First Named Inventor	MARTINEZ, Paul A.	
	Art Unit	2827	
	Examiner Name	DINH, Tuan T.	
Total Number of Pages in This Submission	14	Attorney Docket Number	UTL 00075

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Issue/Publication Fee Submission of August 18, 2004; Credit Card Payment Form; Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Kathleen L. Connell Reg. No. 45,344 KYOCERA WIRELESS CORP.
Signature	
Date	November 3, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Shelley M. Callagy		
Signature		Date	November 3, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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